

FILE: Minutes File

DESCRIPTION:

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, FEBRUARY 25, 1980
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Lowery at 2:20 p.m. Deputy Mayor Lowery adjourned into Executive Session at 3:28 p.m.

ATTENDANCE DURING THE MEETING:

(M) Mayor Wilson-excused by R-251289 (attending Land Use Conference).

- (1) Councilmember Mitchell-present.
- (2) Councilmember Cleator-present.
- (3) Councilmember Lowery-present.
- (4) Councilmember Williams-present.
- (5) Councilmember Schnaubelt-present.
- (6) Councilmember Gotch-present.
- (7) Councilmember Stirling-present.
- (8) Councilmember Killea-present.

Clerk-Abdelnour (ra)

Feb-25-1980 ITEM-1:

FILE: Minutes File

DESCRIPTION:

Deputy Mayor Lowery called the roll:

Mayor Wilson-not present.

Councilmember Mitchell-present.

Councilmember Cleator-present.

Councilmember Lowery-present.

Councilmember Williams-present.

Councilmember Schnaubelt-not present.

Councilmember Gotch-present.

Councilmember Stirling-present.

Councilmember Killea-not present.

Feb-25-1980 ITEM-10:

FILE: Minutes File

DESCRIPTION:

Invocation was given by Brother Wilbern A. Brown.

Feb-25-1980 ITEM-20:

FILE: Minutes File

DESCRIPTION:

Pledge of Allegiance was led by Councilmember Mitchell.

Feb-25-1980 ITEM-30:

FILE: MEET

DESCRIPTION:

Matter of CONSIDERATION OF ACTION on a qualified petition to AMEND SECTION 129.1 of the Charter of the City of San Diego.

COUNCIL ACTION: (Cassette location: A106-120).

Continued to February 26, 1980.

MOTION BY STIRLING TO CONTINUE TO FEBRUARY 26, 1980 AT MAYOR WILSON'S REQUEST.

Second by Gotch. Passed by the following vote: Mitchell-yea. Cleator-yea.

Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-yea.

Killea-yea. Mayor Wilson-not present.

Feb-25-1980 ITEM-31:

FILE: Minutes File

DESCRIPTION:

Approval of the Council Minutes for the Meetings of:

01-07-80 P.M.

01-08-80 A.M. and P.M.

01-14-80 P.M.

01-15-80 A.M. and P.M.

01-21-80 P.M.

01-22-80 A.M. and P.M.

01-28-80 P.M.

01-29-80 A.M. and P.M.

COUNCIL ACTION: (Cassette location: A100-105).

Approved.

MOTION BY STIRLING TO APPROVE. Second by Williams. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea.

Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-not presen

Feb-25-1980 * ITEM-50:

FILE: ZONE 2/25/80 O-15197

DESCRIPTION:

(O-80-216) Incorporating a portion of LOT 21, CARUTHER'S ADDITION, MAP-27,

into R-2A ZONE, located on the south side of Logan Avenue between 41st Street and 43rd Street, in the Southeast San Diego Community Plan area. (DISTRICT-4) (CASE-4-80-1. Introduced on 2-12-80. Council voted 9-0.)

COUNCIL ACTION: (Cassette location: A122-127).

Adopted as Ordinance O-15197 (New Series).

MOTION BY GOTCH TO ADOPT. Second by Williams. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-not present. Mayor Wilson-not present.

Feb-25-1980 ITEM-201:

FILE: MEET

DESCRIPTION:

SUBMITTED BY THE CITY TREASURER

Amend Article VII of the Charter of the City of San Diego by AMENDING SECTION 92 to read as follows:

SECTION 92. BORROWING MONEY ON SHORT TERM NOTES.

Bonds or notes may be issued in anticipation of the collection of special assessments, and bonds, notes, or registered warrants on the treasury may be issued in anticipation of the collection of taxes, as authorized by the City Council by resolution and shall not be deemed the creation of debt within the meaning of Section 90 of this Article. Bonds, notes or registered warrants on the treasury issued in anticipation of the collection of the taxes of any fiscal year may be issued during each fiscal year and each such bond, note, or warrants shall specify that it is payable out of the taxes of the fiscal year in which issued, and before the close of such year, and shall not bear a higher rate of interest than five (5) per-cent per annum the maximum rate established by Council Resolution within the legal limit, and the total amount of such bonds, notes or warrants, authorized and issued in any fiscal year shall not, in the aggregate, be more than twenty-five (25) per cent of the total appropriations of the City for such year.

Nothing herein contained shall be construed to authorize the incurring of an obligation against the municipality in excess of that authorized to be incurred by the Constitution of the State of California.

COUNCIL ACTION: (Cassette location: A006-120).

Continued to February 26, 1980.

MOTION BY STIRLING TO CONTINUE TO FEBRUARY 26, 1980, AT MAYOR WILSON'S REQUEST. Second by Gotch. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-not present.

Feb-25-1980 * ITEM-52:

FILE: ZONE 2/25/80 O-15198

DESCRIPTION:

(O-80-183) Incorporating LOTS 17 through 22, BLOCK 52, MORENA, MAP-809 into R-3 ZONE, located on the west side of Erie Street between Clairemont Drive and Ingulf Street, in the Clairemont Mesa Community Plan Area. (DISTRICT-6) (CASE-20-79-1. Introduced on 2-11-80. Council voted 5-3. Districts 4, 6 and 8 voted nay. District 1 not present.)

COUNCIL ACTION: (Cassette location: A122-127).

Adopted as Ordinance O-15198 (New Series).

MOTION BY GOTCH TO ADOPT. Second by Stirling. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-nay. Schnaubelt-yea. Gotch-nay. Stirling-yea. Killea-not present. Mayor Wilson-not present.

Feb-25-1980 * ITEM-53:

FILE: ZONE 2/25/80 O-15199

DESCRIPTION:

(O-80-213) Incorporating portions of BAY TERRACE UNIT NO. 15, MAP-7765; BAY TERRACE UNIT NO. 17, MAP-7767; BAY TERRACE UNIT NO. 18, MAP-7768 and QUARTER

SECTION 29, RANCHO DE LA NACION, MAP-166, into R-1-5 ZONE, located on the northwest side of the South Bay Freeway between Nebraska Avenue and Alta View Drive, in the South Bay Terraces Community Plan area. (DISTRICT-4)

(CASE-32-80-1. Introduced on 2-12-80. Council voted 9-0.)

COUNCIL ACTION: (Cassette location: A122-127).

Adopted as Ordinance O-15199 (New Series).

MOTION BY GOTCH TO ADOPT. Second by Williams. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-not present. Mayor Wilson-not present.

Feb-25-1980 * ITEM-54:

FILE: MEET

DESCRIPTION:

(O-80-210) Amending Chapter II, Article 2, Division 1, of the San Diego Municipal Code by ADDING PARAGRAPH (G) to RULE 1 of SECTION 22.0101 relating to HOURS OF MEETINGS. (Introduced on 2-11-80. Council voted 8-0. District 1 not present.)

COUNCIL ACTION: (Cassette location: A122-127).

Adopted as Ordinance O-15200 (New Series).

MOTION BY GOTCH TO ADOPT. Second by Williams. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-not present. Mayor Wilson-not present.

Feb-25-1980 * ITEM-55:

FILE: MEET

DESCRIPTION:

(O-80-180) Amending Chapter IX, Article 1, Division 7 of the San Diego Municipal Code by REPEALING SECTIONS 91.0701 through 91.0705 and ADDING SECTIONS 91.0706 and 91.0707 relating to HISTORICAL BUILDINGS. (Introduced on 2-11-80. Council voted 7-0. Districts 1 and 6 not present.)

COUNCIL ACTION: (Cassette location: A122-127).

Adopted as Ordinance O-15201 (New Series).

MOTION BY GOTCH TO ADOPT. Second by Williams. Passed by the following vote:

Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea.

Gotch-yea. Stirling-yea. Killea-not present. Mayor Wilson-not present.

Feb-25-1980 * ITEM-56:

FILE: MEET

DESCRIPTION:

(O-80-181) Amending Chapter IX, Article 2, Divisions 1, 2, 5 and 6 of the San Diego Municipal Code by AMENDING SECTIONS 92.0100, 92.0101, 92.0103, 92.0105, 92.0202, 92.0204, 92.0208, 92.0501, 92.0502, 92.0508, 92.0510, 92.0511, 92.0512, 92.0514, 92.0601 through 92.0607; and by ADDING SECTIONS 92.0515, and 92.0625 through 92.0634, all relating to ELECTRICAL REGULATIONS. (Introduced on 2-11-80. Council voted 8-0. District 1 not present.)

COUNCIL ACTION: (Cassette location: A122-127).

Adopted as Ordinance O-15202 (New Series).

MOTION BY GOTCH TO ADOPT. Second by Williams. Passed by the following vote:

Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea.

Gotch-yea. Stirling-yea. Killea-not present. Mayor Wilson-not present.

Feb-25-1980 * ITEM-57:

FILE: MEET

DESCRIPTION:

(O-80-223) Amending Ordinance No. O-12666 (New Series), as amended, entitled "AN ORDINANCE ESTABLISHING A SCHEDULE OF COMPENSATION FOR OFFICERS AND

EMPLOYEES OF THE CITY OF SAN DIEGO FOR FISCAL YEAR 1979-80," by AMENDING

EXHIBITS A and B thereto to CREATE the classified position of MICROBIOLOGIST III, and establish a SCHEDULE OF COMPENSATION therefor. (Introduced on 2-11-80. Council voted 8-0. District 1 not present.)

COUNCIL ACTION: (Cassette location: A122-127).

Adopted as Ordinance O-15203 (New Series).

MOTION BY GOTCH TO ADOPT. Second by Williams. Passed by the following vote:

Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea.

Gotch-yea. Stirling-yea. Killea-not present. Mayor Wilson-not present.

Feb-25-1980 * ITEM-58:

FILE: MEET

DESCRIPTION:

(O-80-209 Rev.)

AMENDING Ordinance No. O-12700 (New Series), as amended, entitled "AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR 1979-80 AND APPROPRIATING THE NECESSARY MONEY TO OPERATE THE CITY OF SAN DIEGO FOR SAID

FISCAL YEAR," by AMENDING Document No. 766809, as adopted and amended therein, by ADDING 1.00 DEPUTY CITY ATTORNEY and 1.00 LITIGATION INVESTIGATOR position

to the City Attorney's Department (0450); authorizing and directing the CITY AUDITOR AND COMPTROLLER to TRANSFER within the General Fund 100 the sum of \$27,178 from the Unallocated Reserve (605) to the City Attorney's Department (0450) for ADDITIONAL PERSONAL AND NONPERSONAL EXPENSE. (Introduced on 2-11-80. Council voted 7-1. District 6 voted nay. District 1 not present.)

COUNCIL ACTION: (Cassette location: A122-127).

Adopted as Ordinance O-15204 (New Series).

MOTION BY GOTCH TO ADOPT. Second by Williams. Passed by the following vote:

Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea.

Gotch-yea. Stirling-yea. Killea-not present. Mayor Wilson-not present.

Feb-25-1980 * ITEM-59:

FILE: MEET

DESCRIPTION:

(O-80-222) Authorizing the execution of a SECOND AMENDMENT to the OWNER PARTICIPATION AGREEMENT by and between the Redevelopment Agency, the City of San Diego and the San Diego Unified Port District relating to the REALIGNMENT of HARBOR DRIVE. (Introduced on 2-11-80. Council voted 8-0. District 1 not present.)

COUNCIL ACTION: (Cassette location: A122-127).

Adopted as Ordinance O-15205 (New Series).

MOTION BY GOTCH TO ADOPT. Second by Williams. Passed by the following vote:

Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea.

Gotch-yea. Stirling-yea. Killea-not present. Mayor Wilson-not present.

Feb-25-1980 * ITEM-100:

FILE: MEET

DESCRIPTION:

Four Resolutions relative to AWARDING CONTRACTS:

Subitem-A: (R-80-1125)

Bekins Building Maintenance Co. for furnishing CUSTODIAL AND MAINTENANCE SERVICE OF SAN DIEGO STADIUM as may be required for a period of one year ending December 31, 1980, for an estimated cost of \$275,000, with options to renew for two additional one year periods.

FILE:

DESCRIPTION:

Subitem-B: (R-80-1310)

Couristan Inc. for the purchase of approximately 5,000 YARDS OF CARPET FOR THE CIVIC THEATRE for an actual estimated cost, including tax and terms, of \$124,550.

NOTE: See City Manager Report CMR-80-87.

Subitem-C: (R-80-1309)

FMC Corporation, Environmental Equipment Division for the purchase of TWO MECHANICALLY CLEANED BARSCREENS for an actual cost, including tax, terms and estimated freight, of \$88,001.46; authorizing the CITY AUDITOR AND COMPTROLLER to TRANSFER \$88,001.46 within SEWER REVENUE FUND (41506) from the UNALLOCATED RESERVE to METROPOLITAN PUMP STATION NO. ONE MAINTENANCE (70233), for this purpose and related costs.

Subitem-D: (R-80-1426)

Environmental Maint. Service Spec., for furnishing COMPLETE LANDSCAPE MAINTENANCE OF SEVEN CITY MINI PARKS as may be required for a period of one year ending February 28, 1981, for a total cost, including terms, of \$13,036.

COUNCIL ACTION: (Cassette location: A150-171).

Subitem-A trailed to February 26, 1980.

(Adopted as Resolution R-251285, February 26, 1980 p.m.)

Subitem-B adopted as Resolution R-251243.

Subitem-C adopted as Resolution R-251244.

Subitem-D adopted as Resolution R-251245.

MOTION BY SCHNAUBELT TO ADOPT SUBITEMS B, C, D, AND TRAIL SUBITEM- A TO

FEBRUARY 26, 1980 FOR CITY MANAGER'S REPORT. Second by Cleator. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-not present.

Feb-25-1980 * ITEM-101:

FILE: MEET

DESCRIPTION:

(R-80-1303) INVITING BIDS for the REMOVAL OF ARCHITECTURAL BARRIERS FOR THE

HANDICAPPED - CONTRACT NO. 13 - Specifications Document No. A-00043; authorizing a CONTRACT with the lowest responsible and reliable bidder; authorizing the EXPENDITURE not to exceed \$36,400 from CIP-52-243, FUND 18515 and \$1,200 from CIP-58-007, FUND 30245 for said project and related costs; authorizing the CITY AUDITOR AND COMPTROLLER, upon advice from the administering department, to TRANSFER excess budgeted funds, if any, to the appropriate reserves.

COUNCIL ACTION: (Cassette location: A180-182).

Adopted as Resolution R-251246.

MOTION BY STIRLING TO ADOPT. Second by Cleator. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea.

Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-not presen

Feb-25-1980 * ITEM-102:

FILE:

Subitem-A CONT A-00044

DESCRIPTION:

Two Resolutions relative to the CONSTRUCTION OF INTERSTATE 8 WATER RELOCATION:

Subitem-A: (R-80-1424)

INVITING BIDS - Specifications Document No. A-00044; authorizing a CONTRACT with the lowest responsible and reliable bidder; authorizing the CITY AUDITOR AND COMPTROLLER to TRANSFER an amount not to exceed \$402,925 within WATER REVENUE FUND 41502 from WATER UNALLOCATED RESERVE 70679 to WATER CONSTRUCTION

OUTLAY 70592, CIP-73-024 (Annual Allocation Freeway Relocation); authorizing the EXPENDITURE, not to exceed \$402,925 from WATER REVENUE FUND 41502 for said project and related costs, and authorizing the AUDITOR AND COMPTROLLER, upon advice from the Administering Department, to TRANSFER excess budgeted funds, if any, to the appropriate reserves.

Subitem-B: (R-80-1425)

Authorizing the use of CITY FORCES to do all the work of shutting down the existing pipeline as required in connection with the above construction; declaring that the cost of said work shall not exceed \$6,825.

(Serra Mesa Community Area. DISTRICT-5.)
COUNCIL ACTION: (Cassette location: A122-127).

Subitem-A adopted as Resolution R-251247.

Subitem-B adopted as Resolution R-251248.

MOTION BY STIRLING TO ADOPT. Second by Killea. Passed by the following vote:
Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea.
Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-not present.

Feb-25-1980 * ITEM-103:

FILE: MEET

DESCRIPTION:

(R-80-1427) INVITING BIDS for TRAFFIC SIGNAL AND SAFETY LIGHTING SYSTEMS
ON

33RD STREET AND MEADE AVENUE - Specifications Document No. A-00045;

authorizing a CONTRACT with the lowest responsible and reliable bidder;

authorizing the CITY AUDITOR AND COMPTROLLER to TRANSFER \$2,000 from GAS
TAX

FUND RESERVE CIP-90-22 to GAS TAX FUND CIP-62-146; authorizing the
EXPENDITURE, not to exceed \$43,700 from GAS TAX FUND 3220 and \$2,000 from
CAPITAL OUTLAY FUND 3245 for said project and related costs, and authorizing
the AUDITOR AND COMPTROLLER, upon advice from the administering department, to
TRANSFER excess budgeted funds, if any, to the appropriate reserves.

(DISTRICT-3.)

COUNCIL ACTION: (Cassette location: A122-127).

Adopted as Resolution R-251249.

MOTION BY STIRLING TO ADOPT. Second by Killea. Passed by the following vote:
Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea.
Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-not present.

Feb-25-1980 * ITEM-104:

FILE: SUBD Hilltop

DESCRIPTION:

Two Resolutions relative to the FINAL SUBDIVISION MAP of HILLTOP, a 5-lot
subdivision located northerly of Friars Road and Rancho Mission Road:

(DISTRICT-7)

Subitem-A: (R-80-1473)

Authorizing an AGREEMENT with Shapell Industries of San Diego for the
installation and completion of improvements; and

Subitem-B: (R-80-1472)

APPROVING THE FINAL SUBDIVISION MAP AND ACKNOWLEDGING RECEIPT OF SUBDIVIDER'S ASSURANCE OF COMPLIANCE WITH THE AFFIRMATIVE MARKETING PROGRAM.
COUNCIL ACTION: (Cassette location: A180-182).

Subitem-A adopted as Resolution R-251250.

Subitem-B adopted as Resolution R-251251.

MOTION BY STIRLING TO ADOPT. Second by Cleator. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-not presen

Feb-25-1980 * ITEM-105:

FILE: SUBD Pinewood

DESCRIPTION:

(R-80-1471) APPROVING THE FINAL SUBDIVISION MAP of THE PINWOOD AND ACKNOWLEDGING RECEIPT OF SUBDIVIDER'S ASSURANCE OF COMPLIANCE WITH THE

AFFIRMATIVE MARKETING PROGRAM, a one-lot subdivision located southwesterly of Amherst Street and 68th Street. (DISTRICT-7)

COUNCIL ACTION: (Cassette location: A122-127).

Adopted as Resolution R-251252.

MOTION BY STIRLING TO ADOPT. Second by Killea. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-not present.

Feb-25-1980 * ITEM-106:

FILE:

SUBD Reo Terrace

Subitem-C DEED F-377

DESCRIPTION:

Three Resolutions relative to the FINAL SUBDIVISION MAP of REO TERRACE, a one-lot subdivision located northerly of Valley Road and Reo Drive: (DISTRICT-4)

Subitem-A: (R-80-1406)

Authorizing an AGREEMENT with L & H Construction Company, Inc. for the installation and completion of improvements;

FILE:

DESCRIPTION:

Subitem-B: (R-80-1405)

APPROVING THE FINAL SUBDIVISION MAP AND ACKNOWLEDGING RECEIPT OF
SUBDIVIDER'S
ASSURANCE OF COMPLIANCE WITH THE AFFIRMATIVE MARKETING PROGRAM;
and

Subitem-C: (R-80-1391)

ABANDONING the City's right, title or interest in the public utilities and
sewer easements.

COUNCIL ACTION: (Cassette location: A122-127).

Subitem-A adopted as Resolution R-251253.

Subitem-B adopted as Resolution R-251254.

Subitem-C adopted as Resolution R-251255.

MOTION BY STIRLING TO ADOPT. Second by Killea. Passed by the following vote:
Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea.
Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-not present.

Feb-25-1980 * ITEM-107:

FILE: SUBD Royal Diane

DESCRIPTION:

(R-80-1400) APPROVING THE FINAL SUBDIVISION MAP of ROYAL DIANE AND
ACKNOWLEDGING RECEIPT OF SUBDIVIDER'S ASSURANCE OF COMPLIANCE
WITH THE

AFFIRMATIVE MARKETING PROGRAM, a one-lot subdivision located northeasterly of
Conrad Avenue and Diane Avenue. (DISTRICT-7)

COUNCIL ACTION:

(Cassette location: A122-127).

Adopted as Resolution R-251256.

MOTION BY STIRLING TO ADOPT. Second by Killea. Passed by the following vote:
Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea.
Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-not present.

Feb-25-1980 * ITEM-108:

FILE:

SUBD Scripps Ranch Estates

Subitem-C DEED F-386

Subitem- D DEED F-387

DESCRIPTION:

Four Resolutions relative to the FINAL SUBDIVISION MAP of SCRIPPS RANCH ESTATES, a 227-lot subdivision located southeasterly of Pomerado Road and Avenida Magnifica: (DISTRICT-7)

Subitem-A: (R-80-1470)

Authorizing an AGREEMENT with Ponderosa Homes for the installation and completion of improvements;

Subitem-B: (R-80-1469)

APPROVING THE FINAL SUBDIVISION MAP AND ACKNOWLEDGING RECEIPT OF SUBDIVIDER'S ASSURANCE OF COMPLIANCE WITH THE AFFIRMATIVE MARKETING PROGRAM;

Subitem-C: (R-80-1464)

Approving the acceptance by the CITY MANAGER of DEED of Ponderosa Homes, granting to City, LOTS 224, 226, and 227 of SCRIPPS RANCH ESTATES; and

Subitem-D: (R-80-1492)

Approving the acceptance by the CITY MANAGER that STREET EASEMENT DEED of Home Savings and Loan Association, conveying to City an EASEMENT for public street purposes over, under, along and across those portions of the SOUTH HALF of SECTION 34, TOWNSHIP 14 SOUTH, RANGE 2 WEST, S.B.M.; dedicating said land as and for a public street and naming PARCEL 1, FAIRBROOK ROAD and PARCEL 2, AVENIDA MAGNIFICA.

COUNCIL ACTION: (Tape location: A180-182).

Subitem-A adopted as Resolution R-251257.

Subitem-B adopted as Resolution R-251258.

Subitem-C adopted as Resolution R-251259.

Subitem-D adopted as Resolution R-251260.

MOTION BY STIRLING TO ADOPT. Second by Cleator. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-not presen

Feb-25-1980 * ITEM-109:

FILE: SUBD Westwood Unit No.16

DESCRIPTION:

Three Resolutions relative to the FINAL SUBDIVISION MAP of WESTWOOD UNIT NO. 16, a 53-lot subdivision located northerly of Creciente Way and Azucar Way: (DISTRICT-1)

Subitem-A: (R-80-1415)

Authorizing an AGREEMENT with Avco Community Developers, Inc. for the installation and completion of improvements;

Subitem-B: (R-80-1414)

APPROVING THE FINAL SUBDIVISION MAP AND ACKNOWLEDGING RECEIPT OF SUBDIVIDER'S ASSURANCE OF COMPLIANCE WITH THE AFFIRMATIVE MARKETING PROGRAM; and

Subitem-C: (R-80-1409)

Authorizing an AGREEMENT with Avco Community Developers, Inc. to ASSURE the DESIGN AND CONSTRUCTION of the offsite portion of WEST BERNARDO DRIVE. COUNCIL ACTION: (Cassette location: A122-127).

Subitem-A adopted as Resolution R-251261.

Subitem-B adopted as Resolution R-251262.

Subitem-C adopted as Resolution R-251263.

MOTION BY STIRLING TO ADOPT. Second by Killea. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-not present.

Feb-25-1980 * ITEM-110:

FILE: STRT J-2306, DEED F-388

DESCRIPTION:

(R-80-477) VACATING a portion of FLOWER AVENUE adjacent to LOTS 5 and 6 of NESTOR L. S. MAP-90 under Resolution of Intention No. R-251002. (Nestor Community area. DISTRICT-8)

COUNCIL ACTION: (Cassette location: A380-390).

Adopted as Resolution R-251264.

MOTION BY KILLEA TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-not present. Schnaubelt-yea. Gotch-yea. Stirling-not present. Killea-yea. Mayor Wilson-no present.

Feb-25-1980 * ITEM-111:

FILE: DEED F-378

DESCRIPTION:

Two Resolutions relative to POMERADO ROAD:

Subitem-A: (R-80-1462)

Authorizing the EXPENDITURE not to exceed \$4,622.20 from WATER OPERATING FUND NO. 41500 for PAYMENT for loss of LESSEE'S IMPROVEMENTS; and

Subitem-B: (R-80-1463)

Setting aside and DEDICATING as and for a public street a portion of Rancho San Bernardo and naming the same POMERADO ROAD. (DISTRICT-1)
COUNCIL ACTION: (Cassette location: A122-127).

Subitem-A adopted as Resolution R-251265.

Subitem-B adopted as Resolution R-251266.

MOTION BY STIRLING TO ADOPT. Second by Killea. Passed by the following vote:
Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea.
Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-not present.

Feb-25-1980 * ITEM-112:

FILE: MEET

DESCRIPTION:

(R-80-1452) Authorizing an AGREEMENT with Neste, Brudin and Stone, Inc. to provide PROFESSIONAL ENGINEERING SERVICES for DESIGN of improvements for MINOR

CAPITAL IMPROVEMENT PROJECTS; authorizing the EXPENDITURE of \$25,000 from CAPITAL OUTLAY FUND (30245) for above services.

NOTE: See City Manager Report CMR-80-97.

COUNCIL ACTION: (Cassette location: A122-127).

Adopted as Resolution R-251267.

MOTION BY STIRLING TO ADOPT. Second by Killea. Passed by the following vote:
Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea.
Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-not present.

Feb-25-1980 ITEM-113:

FILE: MEET

DESCRIPTION:

(R-80-1298) Authorizing an AGREEMENT with Yellow Cab Company of San Diego, Inc. to PROVIDE TRANSPORTATION SERVICES to the City's DIAL-A-RIDE PROGRAM; authorizing the EXPENDITURE not to exceed \$40,000 from FUND 8990, OBJECT ACCOUNT 3299, for the above program.

NOTE: See City Manager Report CMR-80-59.

COUNCIL ACTION: (Cassette location: A122-127).

Adopted as Resolution R-251268.

MOTION BY STIRLING TO ADOPT. Second by Killea. Passed by the following vote:
Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea.

Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-not present.

Feb-25-1980 * ITEM-114:

FILE: MEET

DESCRIPTION:

(R-80-1456) Authorizing the EXPENDITURE from PARK SERVICE DISTRICT FUND NO. 11663 for the purchase of PICNIC TABLES AND BENCHES to be installed at GOMPERS PARK. (Chollas Park Community area. DISTRICT-4)

COUNCIL ACTION: (Cassette location: A122-127).

Adopted as Resolution R-251269.

MOTION BY STIRLING TO ADOPT. Second by Killea. Passed by the following vote:

Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea.

Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-not present.

Feb-25-1980 * ITEM-115:

FILE: MEET

DESCRIPTION:

(R-80-1465) Authorizing the CITY AUDITOR AND COMPTROLLER to TRANSFER within the GENERAL FUND 100, DEPARTMENT 02.06, the following amounts:

AMOUNT FROM OBJECT ACCOUNT: AMOUNT TO OBJECT ACCOUNT:

2102 - \$ 2,500	6010 - \$ 3,400
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2110 - 400	
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2202 - 300	
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2302 - 200	
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TOTAL \$ 3,400	\$ 3,400
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(Initiated by Councilman Gotch.)

COUNCIL ACTION: (Cassette location: A122-127).

Adopted as Resolution R-251270.

MOTION BY STIRLING TO ADOPT. Second by Killea. Passed by the following vote:

Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea.

Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-not present.

Feb-25-1980 ITEM-150:

FILE: MEET

DESCRIPTION:

(R-80-1294 Rev.) DIRECTING the PLANNING DIRECTOR, with the assistance of the City Attorney, City Clerk and Rules Committee Consultant to PREPARE A MAP providing for several alternatives REDISTRICTING THE BOUNDARIES of the COUNCILMANIC DISTRICTS of the City so that each will be as equal in population as possible; directing the above task force to CONSULT with ROSE INSTITUTE at Claremont College.

COUNCIL ACTION: (Cassette location: A407 & B055-320).

Adopted as Resolution R-251271.

Motion by Stirling to adopt. Second by Schnaubelt. Passed by the following vote: Yeas-1,2,3,5,7,8. Nays-6. Not present-4, Mayor.

Motion by Stirling to reconsider the item. Second by Killea. Passed by the following vote: Yeas-1,2,4,6,8. Nays-3,5,7. Not present-Mayor.

Motion by Mitchell to continue the item. Second by Williams. Defeated by the following vote: Yeas-1,4,6,8. Nays-2,3,5,7. Not present-Mayor.

MOTION BY STIRLING TO ADOPT. Second by Schnaubelt. Passed by the following vote: Mitchell-nay. Cleator-yea. Lowery-yea. Williams-nay.

Schnaubelt-

yea. Gotch-nay. Stirling-yea. Killea-yea. Mayor Wilson-not present.

Feb-25-1980 ITEM-151:

FILE: MEET

DESCRIPTION:

(R-80-1375 Rev.) RESCINDING Resolution No. R-211362, adopted August 22, 1974 and DECLARING that said Resolution, which extended recognition to the Barrio Logan/Harbor 101 Community Planning Association to advise on planning matters pursuant to Council Policies 600-24 and 600-5, shall be of NO FURTHER FORCE OR EFFECT and there shall be NO CITY PARTICIPATION in the FORMATION OF ANY OTHER GROUP for two years.

NOTE: See Planning Commission Report dated January 31, 1980.

COUNCIL ACTION: (Cassette location: A408-428).

Adopted as Resolution R-251272.

MOTION BY KILLEA TO ADOPT. Second by Gotch. Passed by the following vote:

Mitchell-yea. Cleator-yea. Lowery-yea. Williams-not present.

Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-not presen

Feb-25-1980 ITEM-152:

FILE: MEET

DESCRIPTION:

(R-80-1317) CONFIRMING the APPOINTMENT by the Mayor of Fil A. Chavez to the PLANNING COMMISSION for a four-year term ending January 28, 1984, replacing Oscar Padilla.

COUNCIL ACTION: (Cassette location: A433-477).

Adopted as Resolution R-251273.

MOTION BY STIRLING TO ADOPT. Second by Gotch. Passed by the following vote:

Mitchell-yea. Cleator-yea. Lowery-yea. Williams-not present.

Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-not presen

Feb-25-1980 ITEM-153:

FILE: MEET

DESCRIPTION:

(R-80-1343) DIRECTING the CITY MANAGER and PLANNING DIRECTOR to DEVELOP A

MANAGEMENT PLAN to ARRAY THE ANNUAL PROPOSED CIP by community planning areas,

starting with the Planned Urbanizing communities and to ACCEPT AVAILABLE TECHNICAL ASSISTANCE from the NATIONAL LEAGUE OF CITIES.

NOTE: See City Manager Report CMR-80-34.

COUNCIL ACTION: (Cassette location: A557-724 & B001-044).

Adopted as Resolution R-251274.

MOTION BY WILLIAMS TO ADOPT. Second by Gotch. Passed by the following vote:

Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea.

Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-not present.

Feb-25-1980 ITEM-200:

FILE: MEET

DESCRIPTION:

(O-80-230) Establishing a SCHEDULE OF COMPENSATION for the MAYOR and MEMBERS

of the CITY COUNCIL for the period July 1, 1980 through June 30, 1982.

COUNCIL ACTION: (Cassette location: B045-053).

Introduced, to be adopted March 10, 1980.

MOTION BY STIRLING TO INTRODUCE. Second by Williams. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea.

Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-not presen

Feb-25-1980 ITEM-201:

FILE:

DESCRIPTION:

SUBMITTED BY THE CITY TREASURER

Amend Article VII of the Charter of the City of San Diego by AMENDING SECTION 92 to read as follows:

SECTION 92. BORROWING MONEY ON SHORT TERM NOTES.

Bonds or notes may be issued in anticipation of the collection of special assessments, and bonds, notes, or registered warrants on the treasury may be issued in anticipation of the collection of taxes, as authorized by the City Council by resolution and shall not be deemed the creation of debt within the meaning of Section 90 of this Article. Bonds, notes or registered warrants on the treasury issued in anticipation of the collection of the taxes of any

fiscal year may be issued during each fiscal year and each such bond, note, or warrants shall specify that it is payable out of the taxes of the fiscal year in which issued, and before the close of such year, and shall not bear a higher rate of interest than five (5) per-cent per annum the maximum rate established by Council Resolution within the legal limit, and the total amount of such bonds, notes or warrants, authorized and issued in any fiscal year shall not, in the aggregate, be more than twenty-five (25) per cent of the total appropriations of the City for such year.

Nothing herein contained shall be construed to authorize the incurring of an obligation against the municipality in excess of that authorized to be incurred by the Constitution of the State of California.

COUNCIL ACTION: (Cassette location: A006-120).

Continued to February 26, 1980.

MOTION BY STIRLING TO CONTINUE TO FEBRUARY 26, 1980, AT MAYOR WILSON'S REQUEST. Second by Gotch. Passed by the following vote: Mitchell-yea.

Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea.

Stirling-yea. Killea-yea. Mayor Wilson-not present.

Feb-25-1980 ITEM-202:

FILE:

DESCRIPTION:

SUBMITTED BY THE CIVIL SERVICE COMMISSION

Amend Article VIII of the Charter of the City of San Diego by AMENDING SECTION 129 to read as follows:

Section 129. REMOVALS, SUSPENSION AND LAYOFFS.

Any officer or employee of the City in the classified service, after attaining permanent status pursuant to the Rules of the Civil Service Commission, may be removed from office or employment for cause by the appointing authority.

Written notice of removal given to any officer or employee, or written notice left at or mailed to his or her usual place of residence, shall be sufficient to put any such removal into effect.

The person so notified may, within five days after such notice, demand a written statement of the reasons therefor and the right to be heard before the Civil Service Commission.

Upon such demand the appointing authority ordering the removal shall supply the person notified thereof and the Civil Service Commission with a written statement of the reasons therefor, and the Commission shall fix a time and place for a public hearing. Following the public hearing, and such investigation as the Civil Service Commission may see fit to make, the Commission shall report its findings and recommendations to the authority responsible for the removal as specified in the notice. Thereupon the authority making the removal shall make such final disposition of the matter as may be determined by the Civil Service Commission. The decision of the Civil Service Commission in any such case shall be final.

A copy of the written statement of reasons given for any removal, and a copy of any written reply thereto by the officer or employee involved, together with a copy of the decision of the Civil Service Commission shall be filed as a public record in the office of the Civil Service Commission.

Any officer or employee of the City in the classified service may be suspended from office or employment for cause or for investigation of misconduct by the appointing authority. Written notice of suspension given to any officer or employee, or written notice left at or mailed to his or her place of residence, shall be sufficient to put any such suspension into effect. The person so notified may, within five days after such notice, demand a written statement of the reasons therefor and a right to appeal said suspension for cause. Upon such demand the officer making the suspension shall supply the person notified thereof and the Civil Service Commission with a written statement of the reasons therefor. The appellant shall be accorded all rights and privileges pursuant to law. The Civil Service Commission shall by rules or regulations, establish procedures for conducting hearings and/or investigations, and reporting findings and recommendations to the appointing authority. All findings and recommendations in any such case shall be final. The Civil Service Commission shall promulgate rules and regulations necessary to govern layoffs for lack of funds, lack of work, or insufficient appropriation to meet the salary requirements necessary to maintain existing personnel in any office or department of the City of San Diego.

COUNCIL ACTION:

(Tape location: A006-120).

Continued to February 26, 1980.

MOTION BY STIRLING TO CONTINUE TO FEBRUARY 26, 1980, AT MAYOR WILSON'S REQUEST. Second by Gotch. Passed by the following vote: Mitchell-yea.

Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea.

Stirling-yea. Killea-yea. Mayor Wilson-not present.

Feb-25-1980 ITEM-203:

FILE:

DESCRIPTION:

SUBMITTED BY THE EXECUTIVE DIRECTOR OF THE HOUSING COMMISSION

PROPOSITION. Shall Ordinance No. (New Series) of the Ordinances of the City of San Diego entitled "An Ordinance authorizing the removal from cemetery dedication of fifty-seven (57) acres of that part of Mount Hope Cemetery which is undeveloped and is not needed for cemetery purposes and is north of Market Street, so that said property may be utilized through lease or sale for such other purposes including, but not limited to, affordable housing, as may be deemed by the City Council to be in the best interests of the people of the City of San Diego," adopted by the Council of said city February , 1980, be ratified?

COUNCIL ACTION: (Cassette location: A006-120).

Continued to February 26, 1980.

MOTION BY STIRLING TO CONTINUE TO FEBRUARY 26, 1980, AT MAYOR WILSON'S REQUEST. Second by Gotch. Passed by the following vote: Mitchell-yea.

Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea.

Stirling-yea. Killea-yea. Mayor Wilson-not present.

Feb-25-1980 ITEM-204:

FILE:

DESCRIPTION:

SUBMITTED BY WARREN A. NIELSEN

PROPOSITION. Shall the City of San Diego offer to give to the U. S. Navy, fee simple, approximately 57 acres of City-owned, but unused land at Mt. Hope Cemetery, north of Market Street, in exchange for the Navy returning the 77 acres of land it holds in Balboa Park? Furthermore, shall the City of San Diego cooperate with the Navy to acquire the necessary additional privately owned acreage it may need to build a new Naval Hospital on Helix Heights - two miles north of the 32nd Street Naval Station?

COUNCIL ACTION: (Cassette location: A006-120).

Continued to February 26, 1980.

MOTION BY STIRLING TO CONTINUE TO FEBRUARY 26, 1980, AT MAYOR WILSON'S REQUEST. Second by Gotch. Passed by the following vote: Mitchell-yea.

Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea.

Stirling-yea. Killea-yea. Mayor Wilson-not present.

Feb-25-1980 ITEM-S400:

FILE:

DESCRIPTION:

(R-80-1505) Authorizing the CITY MANAGER to file a GRANT APPLICATION for \$225,000 with the Heritage Conservation and Recreation Service, United States Department of the Interior, Urban Park and Recreation Recovery Program to develop a linear park within the Gaslamp Quarter Historic District. (Centre City Community Area. DISTRICT-8.)

COMMITTEE ACTION:

Initiated by PUBLIC FACILITIES AND RECREATION COMMITTEE on 2/7/80.

Recommendation to ADOPT the Resolution. Districts 1, 6 and 8 voted yea.

Districts 2 and 7 not present.

NOTE: See City Manager Report CMR-80-68.

COUNCIL ACTION: (Cassette location: B060-070).

Trailed to February 26, 1980.

Feb-25-1980 ITEM-ES-1:

FILE: MEET

DESCRIPTION:

(R-80-1389) A Resolution adopted by the City Council in Executive Session on February 25, 1980:

Authorizing the City Manager to pay the total sum of \$60,000 in the settlement of claim against The City of San Diego, Case No. 398841, Peeters v. Head, et al. resulting from the death of Leilani Charlene Peeters and Lanalai Peeters.

COUNCIL ACTION:

Adopted as Resolution R-251275.

Feb-25-1980 ADJOURNMENT:

FILE: Minutes File

COUNCIL ACTION:

Motion by Stirling to adjourn in memory of Ima K. Morris. Second by Killea.

Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea.

Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea.

Mayor Wilson-not present.